

**REMARKS**

Claims 1-20 are pending in the above-captioned application, with claims 11-20 withdrawn due to a restriction requirement. Claims 1, 3 and 5-10 stand rejected under 35 U.S.C. §102(e) over Huang et al. (U.S. 6,699,427) and all claims 1-10 rejected under the doctrine of obvious-type double patenting over Huang et al. (U.S. 6,878,331). Allowance of all pending claims 1-10 is believed appropriate and is respectfully requested.

As acknowledged in the Office Action, the rejection under 35 U.S.C. §102(e) over Huang et al. '427 is moot if it the invention of the above-captioned application is not the invention of "another." The undersigned hereby confirms that, indeed, the invention of Huang et al. '427 was derived from the inventors of the above-captioned application; this is confirmed by the fact that three inventors, Dai Huang, Irwin Lewis and Richard Lewis, are common to both the above-captioned application and to the Huang et al. '427 patent.

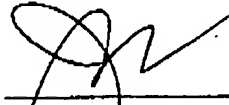
Accordingly, the rejection under 35 U.S.C. §102(e) should be withdrawn.

It is also acknowledged in the Office Action that the rejection of claims 1-10 under the doctrine of obvious-type double patenting over Huang et al. '331 can be overcome by the filing of an appropriate Terminal Disclaimer. The required Terminal

Disclaimer is appended hereto. Thus, the rejection of claims 1-10 under the doctrine of obvious-type double patenting over Huang et al. '331 should also be withdrawn.

Applicants hereby petition the Commissioner for a one month extension of time to respond to the Office Action, extending their time to respond to December 9, 2005. The Commissioner is authorized to charge the fee of \$120 for a one month extension of time, and the Terminal Disclaimer fee of \$130, as well as any deficiency attendant to the filing of this response, to Deposit Account No. 21-0010.

Respectfully submitted,



---

James R. Cartiglia  
Registration No. 30,738  
WADDEY & PATTERSON  
A Professional Corporation  
Customer No. 23456  
ATTORNEY FOR APPLICANT

Waddey & Patterson  
1600 Division Street, Suite 500  
Roundabout Plaza  
Nashville, TN 37203  
(615) 242-2400